FILED

MAR 2 2 2002 JUDGE MARINA CORODEMUS

## LeBOEUF, LAMB, GREENE & MacRAE, L.I.P. One Riverfront Plaza Suite 600 Newark, New Jersey 07102-5490 FM 2:28 (973) 643-8000 Attorneys for Defendant

MARSHA F. DOOLITTLE and RICHARD DOOLITTLE, her husband,

Lorillard Tobacco Company

Plaintiffs,

v.

R.J. REYNOLDS TOBACCO COMPANY, THE AMERICAN TOBACCO COMPANY, BROWN & WILLIAMSON TOBACCO CORPORATION, B.A.T. INDUSTRIES PLC, BATUS HOLDINGS, INC., BRITISH AMERICAN TOBACCO COMPANY LTD., BRITISH-AMERICAN TOBACCO (HOLDINGS) LTD, PHILIP MORRIS, INC. (Philip Morris U.S.A.), LIGGETT & MYERS, INC., LORILLARD CORPORATION, THE COUNCIL FOR TOBACCO RESEARCH U.S.A., INC. (successor in interest to the Tobacco Industry Research Committee), TOBACCO INSTITUTE, INC., HILL & KNOWLTON, INC., JOHN DOE TOBACCO CORPORATIONS "A" THROUGH "Z", MILLVILLE LAUNDRY, MILTEX, JOHN FOE, JOHN MOE, ABC CORP., and XYZ CORP., jointly, severally and in the alternative.

Defendants.

SUPERIOR COURT OF NEW JERSEY LAW DIVISION: MIDDLESEX COUNTY DOCKET NO. MID L-5771-00MT CASE CODE 241

Civil Action

TOBACCO LITIGATION

COMMISSION TO TAKE OUT-OF-STATE DEPOSITION

THE STATE OF NEW JERSEY, UNITED STATES OF AMERICA, to the appropriate Judicial Authority in and of the State of Florida, greetings:

WHEREAS, there is an action pending in this, the Superior Court of New Jersey, entitled as above, and this Court is of the

opinion that complete justice in this action cannot be done without the video-taped deposition of the following individual who is within Your Jurisdiction:

A. George Kinley, 2545 North East Coachman, Apartment 165, Clearwater, Florida, 33765

WHEREAS, it is respectfully requested that, in the interest of justice, You cause the above-named individual to appear, by Your usual and proper process at the time and place designated by subpoena for video-taped deposition.

WITNESS HER HONOR, the Honorable Marina Corodemus, J.S.C., Judge of the Superior Court of New Jersey, Law Division, Middlesex County, New Jersey this day of March 2002.

Clerk, Superior Court of New Jersey

